

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF WASHINGTON

In Re )  
 ) NO. 10-03403  
GAMBLE, Thomas L. )  
 ) MOTION AND NOTICE FOR  
Debtor(s). ) ORDER AVOIDING JUDGMENT  
 ) LIEN/CLOUD ON HOMESTEAD  
 ) TITLE

COMES NOW the debtor by and through attorney, VANNOY CULPEPPER, and moves the court pursuant to 11 USC 522(f)(1) and Local Rule 4003-2 and RCW 6.13.090 for an order avoiding a judgment lien and cloud on title against the debtor's homestead as follows:

1. A judgment was entered against the debtor in Klickitat County Superior Court Case No. 08-3-0029-9 in the case of Thomas Gamble, Petitioner and Dawn Gamble, Respondent, Judgment No. 09-9-00412-0 in the original amount of \$36,014.00.

2. The judgment creates a cloud on the debtor's homestead title. The existence of this cloud on the debtor's title impairs an exemption or is not an effective lien pursuant to RCW 6.13.090 and RCW 4.56.190 which requires that a judgment must be recorded with Klickitat County Auditor's office in order for it to be an effective lien against the debtor's homestead.

3. The judgment creditor in this case did not record the above described judgment with the Klickitat County Auditor's office, and therefore there is no lien and any cloud on title or lien should be removed and avoided.

4. The existence of this cloud on the debtor's property impairs the debtor's homestead exemption pursuant to RCW 6.13.030.

5. The property which is impaired by the exemption is the debtor's homestead is located in Klickitat County, Washington and described as follows:

*Motion and Notice to  
Avoid Judgment Liens - 1*

*VanNoy Culpepper  
3908 Creekside Loop #125  
Yakima, WA 98902  
(509)457-2490*

Commonly known as 202 Hactor Road, Goldendale,  
Washington, and legally described as follows:  
Lot 2, SHORT PLAT NO. SPL-2001-00042.  
According to the Plat thereof, recorded in Book 2,  
Page 518, Klickitat County Short Plat Records.  
Parcel No. 03-16-0250-0002/00


6. The value of the real property encumbered: \$168,500.00  
Other Liens against the property:  
Chase Mortgage \$128,000.00  
Net Equity: \$ 40,500.00  
Claimed Exemption  
(100% up to \$125,000.00) \$ 40,500.00

7. The debtor is entitled to an order avoiding and canceling any alleged judgment lien and removing the cloud on the debtor's homestead title.

In the event any party in interest, including any creditor has an objection to this motion, then the objecting party must file an objection with the clerk's office at P.O. Box 2164, Spokane, WA 99210 and serve a copy on the undersigned on or before TWENTY-FOUR (24) days from the date of this notice, per LR 4003-2. The objection should set forth the grounds for objecting thereto. In the event no objection is received prior to 24 days from the date of this notice, an order providing for the relief requested as set forth in the motion herein shall be presented ex parte to the court for signature.

In the event a timely objection is received, a preliminary hearing will be set.

DATED: 12/7/10

By:   
VanNoy Culpepper, WSBA #11565  
Attorney for Debtor

*Motion and Notice to  
Avoid Judgment Liens - 2*


*VanNoy Culpepper  
3908 Creekside Loop #125  
Yakima, WA 98902  
(509)457-2490*

I, VanNoy Culpepper, under penalty of perjury of the laws of the State of Washington, hereby state that the following is true and correct to the best of my knowledge and belief.

1. The facts contained in the above motion are true and correct.

2. In accordance with the debtor's Schedule A, the property referenced herein is the debtor's homestead. Attached hereto as Exhibit "A" is a copy of the "Summary Appraisal Report" prepared by certified appraiser John Laxson showing that the current fair market value of the property is no more than \$168,500.00. In accordance with the debtor's Schedule D (secured claims), Chase Mortgage holds a first mortgage against the property in the amount of \$128,000.00.

3. Attached hereto as Exhibit "B" is a copy of the Decree of Dissolution which awards a money judgment to Dawn Gamble in the amount of \$36,014.00.

  
/s/ VanNoy Culpepper  
VanNoy Culpepper  
Attorney for Debtor

*Motion and Notice to  
Avoid Judgment Liens - 3*

*VanNoy Culpepper  
3908 Creekside Loop #125  
Yakima, WA 98902  
(509)457-2490*

**SUMMARY APPRAISAL REPORT**

OF THE REAL PROPERTY LOCATED AT

202 Hector Rd  
Goldendale, WA 98620-4306

for

Tom L. Gamble  
202 Hector Rd  
Goldendale, WA  
98620

as of

10/19/2010

by

John Laxson  
P.O. Box 285  
North Bonneville, WA 98639

Laxson Appraisal Service

Exhibit A

Laxson Appraisal Service  
P.O. Box 285  
North Bonneville, WA 98639  
509-427-4836

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October 28, 2010

Tom L. Gamble  
202 Hector Rd  
Goldendale, WA  
98620

Property -	202 Hector Rd
	Goldendale, WA 98620-4306
Client -	Gamble, Tom L.
File No. -	8338
Case No. -	

Dear :

In accordance with your request, I have prepared an appraisal of the real property located at 202 Hector Rd. Goldendale, WA.

The purpose of the appraisal is to provide an opinion of the market value of the property described in the body of this report.

Enclosed, please find the Summary Report which describes certain data gathered during our investigation of the property. The methods of approach and reasoning in the valuation of the various physical and economic factors of the subject property are contained in this report.

An inspection of the property and a study of pertinent factors, including valuation trends and an analysis of neighborhood data, led the appraiser to the conclusion that the market value, as of 10/19/2010 is :


\$168,500

The opinion of value expressed in this report is contingent upon the Limiting Conditions attached to this report.

It has been a pleasure to assist you. If I may be of further service to you in the future, please let me know.

Respectfully submitted,

Laxson Appraisal Service

  
\_\_\_\_\_  
John Laxson  
WA Certification #1700935

## Uniform Residential Appraisal Report

File # 8338

The purpose of this summary appraisal report is to provide the client with an accurate, and adequately supported, opinion of the market value of the subject property.

Property Address **202 Hector Rd** City **Goldendale** State **WA** Zip Code **98620-4306**  
 Owner **Not Applicable** Intended User **Gamble, Tom L.** County **Klickitat**

Legal Description **Lot 2, ShortPlat 2001-42** Tax Year **2010** R. E. Taxes \$ **203.99**  
 Assessor's Parcel # **03-16-0250-0002/00** Map Reference **TNR16E Sec 02** Census Tract **9501**

Neighborhood Name **Hector** Occupant ☒ Owner ☐ Tenant ☐ Vacant ☐ Special Assessments \$ **N/A** PUD ☐ HOA \$ **N/A** per year ☐ per month ☐

Property Rights Appraised ☒ Fee Simple ☐ Leasehold ☐ Other (describe) \_\_\_\_\_

Intended Use: **For Court Action Bankruptcy**  
 Client **Tom L. Gamble** Address **202 Hector Rd, Goldendale, WA 98620**

Is the subject property currently offered for sale or has it been offered for sale in the twelve months prior to the effective date of the appraisal? ☐ Yes ☒ No  
 Report data source(s) used, offering price(s), and date(s). **RMLS**

I ☐ did ☐ did not analyze the contract for sale for the subject purchase transaction. Explain the results of the analysis of this contract for sale or why the analysis was not performed. **N/A**

Contract Price \$ **N/A** Date of Contract **N/A** Is the property seller the owner of public record? ☐ Yes ☐ No Data Source(s) **N/A**  
 Is there any financial assistance (loan charges, sale concessions, gift or downpayment assistance, etc.) to be paid by any party on behalf of the client? ☐ Yes ☐ No  
 If Yes, report the total dollar amount and describe the terms to be paid. **N/A**

**Note: Race and the racial composition of the neighborhood are not appraisal factors.**

Neighborhood Characteristics		One-Unit Housing Trends			One-Unit Housing		Percent Land Use %	
Location	Urban <input type="checkbox"/> Suburban <input checked="" type="checkbox"/> Rural <input type="checkbox"/>	Property Values	Increasing <input type="checkbox"/> Stable <input checked="" type="checkbox"/> Declining <input type="checkbox"/>	PRICE	AGE	One-Unit	2-4 Unit	
Build-Up	Over 75% <input type="checkbox"/> 25-75% <input checked="" type="checkbox"/> Under 25% <input type="checkbox"/>	Demand/Supply	Shortage <input type="checkbox"/> In Balance <input checked="" type="checkbox"/> Over Supply <input type="checkbox"/>	\$ (000s)	(yrs)	0.0 %	0.0 %	
Growth	Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow <input type="checkbox"/>	Marketing Time	Under 3 mths <input type="checkbox"/> 3-6 mths <input checked="" type="checkbox"/> Over 6 mths <input type="checkbox"/>	150	Low	0.0 %	0.0 %	
Neighborhood Boundaries	***See Extended Comments***			450	High	0.0 %	0.0 %	
				190-250	Pred. 35-50	Other	Vac 80 %	

Neighborhood Description **The subject's market place are those residential properties developed on acreage parcels though out market area.**

Market Conditions (including support for the above conclusions) **\*\*\* See Additional Comments \*\*\***

Dimensions **676.34 x 1288.60 x 671.51 x 1299.64** Area **20 Acres +/-** Shape **Rectangular** View **Terrestrial**  
 Specific Zoning Classification **EA** Zoning Description **Extensive Agriculture ( 20 Acres Minimum Site)**  
 Zoning Compliance ☒ Legal ☐ Legal Nonconforming (Grandfathered Use) ☐ No Zoning ☐ Illegal (describe) \_\_\_\_\_  
 Is the highest and best use of the subject property as improved (or as proposed per plans and specifications) the present use? ☒ Yes ☐ No If No, describe \_\_\_\_\_  
 \*\*\* See Additional Comments \*\*\*

Utilities Public Other (describe) \_\_\_\_\_ Public Other (describe) \_\_\_\_\_ Off-site Improvements--Type Public Private  
 Electricity ☒ PUD ☐ Water ☐ Well ☒ Street ☒ Asphalt ☐  
 Gas ☐ None ☐ Sanitary Sewer ☒ Septic ☐ Alley ☐ None ☐

FEMA Special Flood Hazard Area ☐ Yes ☒ No FEMA Flood Zone **C** FEMA Map No. **530890450B** FEMA Map Date **1981-07-02**  
 Are the utilities and off-site improvements typical for the market area? ☒ Yes ☐ No If No, describe \_\_\_\_\_  
 Are there any adverse site conditions or external factors (seasements, encroachments, environmental conditions, land uses, etc.)? ☐ Yes ☒ No If Yes, describe \_\_\_\_\_  
 \*\*\* See Additional Comments \*\*\*

General Description		Foundation		Exterior Description		materials/condition		Interior		materials/condition	
Units <input checked="" type="checkbox"/> One <input type="checkbox"/> One with Accessory Unit <input type="checkbox"/>	<input checked="" type="checkbox"/> Concrete Slab <input type="checkbox"/> Crawl Space	<input checked="" type="checkbox"/> Full Basement <input type="checkbox"/> Partial Basement	Foundation Walls	<input checked="" type="checkbox"/> Concrete/Avg	Floors	<input checked="" type="checkbox"/> Cmp/Vnl/Flt/Wd/Fair					
# of Stories <b>One</b>	<input checked="" type="checkbox"/> Full Basement <input type="checkbox"/> Partial Basement	Exterior Walls	<input checked="" type="checkbox"/> Lsp/Fair		Walls	<input checked="" type="checkbox"/> Drywall/Avg					
Type <input checked="" type="checkbox"/> Det <input type="checkbox"/> All <input type="checkbox"/> S-Det/End Unit	Basement Area <b>1,368 sq. ft.</b>	Roof Surface	<input checked="" type="checkbox"/> Shake/Avg		Trim/Finish	<input checked="" type="checkbox"/> Wd/SV/Avg					
<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Under Consol	Basement Finish <b>-0.-%</b>	Gutters & Downspouts	<input checked="" type="checkbox"/> None		Bath Floor	<input checked="" type="checkbox"/> Vinyl/Avg					
Design (Style) <b>1 Story</b>	<input checked="" type="checkbox"/> Outside Entry/Ext <input type="checkbox"/> Sump Pump	Window Type	<input checked="" type="checkbox"/> Alum. Sliders/Avg		Bath Walls/Ceil	<input checked="" type="checkbox"/> Fhl/Avg					
Year Built <b>1978</b>	Evidence of <input type="checkbox"/> Infestation <input type="checkbox"/> Dampness <input type="checkbox"/> Settlement	Storm Sash/Insulated	<input checked="" type="checkbox"/> Dbl Pane		Car Storage	<input type="checkbox"/> None					
Effective Age (Yrs) <b>40</b>	<input type="checkbox"/> Heating <input type="checkbox"/> FWA <input type="checkbox"/> HWBD <input type="checkbox"/> Radiant	Screening	<input checked="" type="checkbox"/> Yes		Driveway	<input type="checkbox"/> # of Cars					
Attic <input type="checkbox"/> None	<input checked="" type="checkbox"/> Other Zoani <input type="checkbox"/> Fuel Elect	Amenities	<input checked="" type="checkbox"/> X Wood Stove(s) # <b>2</b>		Driveway Surface	<input checked="" type="checkbox"/> Gravel					
Drop Slat <input type="checkbox"/> Stairs <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Cooling <input type="checkbox"/> Central Air Conditioning	Fireplace(s) #	<input checked="" type="checkbox"/> X Fence Animal		Garage	<input checked="" type="checkbox"/> # of Cars <b>2</b>					
Floor <input type="checkbox"/> Finished <input checked="" type="checkbox"/>	<input type="checkbox"/> Individual <input type="checkbox"/> Other <b>N/A</b>	Pool/Deck/Enclosd	<input checked="" type="checkbox"/> X Porch		Carport	<input type="checkbox"/> # of Cars					
		Pool	<input type="checkbox"/> Other		All	<input type="checkbox"/> Det <input checked="" type="checkbox"/> Built-in					

Appliances Refrigerator ☒ Range/Oven ☐ Dishwasher ☐ Disposal ☐ Microwave ☐ Washer/Dryer ☐ Other (describe) \_\_\_\_\_

Finished area above grade contains: **6 Rooms 3 Bedrooms 2 Bath(s) 1,368 Square Feet of Gross Living Area Above Grade**

Additional features (special energy efficient items, etc.) **The subject's improvements are of similar quality materials and of similar energy efficiency standards as other dwellings in the immediate neighborhood.**

Describe the condition of the property (including needed repairs, deterioration, renovations, remodeling, etc.). **\*\*\* See Additional Comments \*\*\***

Are there any physical deficiencies or adverse conditions that affect the livability, soundness, or structural integrity of the property? ☐ Yes ☒ No If Yes, describe \_\_\_\_\_

During inspection the appraiser observed the site and noted piles of materials, stored equipment and parts. The appraiser is not an environmental expert.

Does the property generally conform to the neighborhood (functional utility, style, condition, use, construction, etc.)? ☒ Yes ☐ No If No, describe \_\_\_\_\_

The subject improvements conform to the neighborhood styles and use. The subject blends with other dwellings in the neighborhood.

## Uniform Residential Appraisal Report

File # 8338

There are <u>3</u> comparable properties currently offered for sale in the subject neighborhood ranging in price from \$ <u>170,000.00</u> to \$ <u>200,000.00</u> .		There are <u>3</u> comparable sales in the subject neighborhood within the past twelve months ranging in sale price from \$ <u>170,000.00</u> to \$ <u>200,000.00</u> .		
FEATURE	SUBJECT	COMPARABLE SALE # 1	COMPARABLE SALE # 2	COMPARABLE SALE # 3
202 Hector Rd	214 Rimrock Rd	1617 Hwy 97	36 Wooded Ln	
Address	Goldendale 98620	Goldendale, WA 98620	Goldendale, 98620	Goldendale, 98620
Proximity to Subject	4.9 miles N	5.98 miles N	6.55 miles NE	
Sale Price	\$ <u>N/A</u>	\$ <u>200,000</u>	\$ <u>170,000</u>	\$ <u>170,000</u>
Sale Price/Gross Liv. Area	\$ <u>N/A</u> sq. ft.	\$ <u>131.06</u> sq. ft.	\$ <u>121.60</u> sq. ft.	\$ <u>132.19</u> sq. ft.
Data Source(s)	RMLS#10028495	RMLS#9078112	RMLS#9067053	
Verification Source(s)	RMLS, Drive-by	RMLS, Drive-by	RMLS, Drive-by	
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION
Sale or Financing	Conv-None	Conv-None	Cash-None	
Concessions	6/25/2010 COE	01/27/2010 COE	12/07/2009 COE	
Date of Sale/Time	4/29/2010 CD	-10,900 1/20/2009 CD	-16,986 10/09/2009 CD	-18,538
Location	Rural Residentl	Rural Residentl	Rural Residentl	
Leasehold/Fee Simple	Fee Simple	Fee Simple	Fee Simple	
Site	20 Acres +/-	4.17 Ac +/-	Smr Mkt 542 Ac +/-	Smr Mkt 5
View	Territorial/Mtn	Territorial/Mtn	Territorial/Mtn	
Design (Style)	1 Story	Ranch	2 Story, Farmhse	2 Story
Quality of Construction	Average	Average	Average	
Actual Age	1978 Bld/1970 Eff	1980 Bld	(See Below) 1890 Bld/1955 Eff	+11,500 1985 Bld/1970 Eff
Condition	Fair	Fair	Fair	Fair
Above Grade	Total Bdrms Baths	Total Bdrms Baths	Total Bdrms Baths	Total Bdrms Baths
Room Count	6 3 2	6 3 2	5 2 1	5 2 2
Gross Living Area	1,368 sq. ft.	1,526 sq. ft.	1,398 sq. ft.	1,286 sq. ft.
Basement & Finished	0- sf Fin	No Basement	No Basement	No Basement
Rooms Below Grade	1368 SF Unfin Bsm	None	None	None
Functional Utility	Average	Average	Average	Average
Heating/Cooling	Zonal / no ac	Forced Air/AC	-2,000 BB no AC	BB no AC
Energy Efficient Items	None Noted	None Noted	None Noted	None Noted
Garage/Carport	2 Car Garage	No Garage	+7,000 Car Garage	-7,000 No Garage
Porch/Patio/Deck	Porch/Enclosed Deck	Porch/Deck	Porch/Deck	Porch/Deck
Fireplace/Stoves	2 HeatStove	1 HeatStove	+1,000 1 Fpl	+1,000 1 Fpl
Amenities	Outbuildings	Outbuilding	+5,000 Outbuildings	Similar None Known
Days on Market	n/a	24+/- DOM	48+/- DOM	56+/- DOM
Net Adjustment (Total)		-27,510	-2,896	8,360
Adjusted Sale Price of Comparables		Net Adj. 13.76 % Gross Adj. 33.60 %	Net Adj. 1.70 % Gross Adj. 27.40 %	Net Adj. 4.92 % Gross Adj. 26.72 %
I <input checked="" type="checkbox"/> did <input type="checkbox"/> did not research the sale or transfer history of the subject property and comparable sales. If not, explain				
My research <input type="checkbox"/> did <input checked="" type="checkbox"/> did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.				
Data Source(s) <u>RMLS</u>				
My research <input type="checkbox"/> did <input checked="" type="checkbox"/> did not reveal any prior sales or transfers of the comparable sales for the prior year to the date of sale of the comparable sale.				
Data Source(s) <u>RMLS</u>				
Report the results of the research and analysis of the prior sale or transfer history of the subject property and comparable sales (report additional prior sales on page 3).				
ITEM	SUBJECT	COMPARABLE SALE # 1	COMPARABLE SALE # 2	COMPARABLE SALE # 3
Date of Prior Sale/Transfer	No Other Sales	No other sale noted	No other sale noted	No other sale noted
Price of Prior Sale/Transfer	preceding 36 months	preceding 12 months	preceding 12 months	preceding 12 months
Data Source(s)	RMLS	RMLS	RMLS	RMLS
Effective Date of Data Source(s)	10/19/2010	09/23/2010	10/23/2010	10/23/2010
Analysis of prior sale or transfer history of the subject property and comparable sales <u>No previous 3-1 year sales were located for either the subject or the comparables, Appr's Data Base.</u>				
Summary of Sales Comparison Approach <u>Adjustments used in the grid for the Sales Comparison Approach were derived from data supplied by multiple listing and/or other competing data services. Consideration was given to market costs and the depreciation for the age and utility of the various components for each property. The adjustments used were compared to those used by other real estate professionals in the area and found to be in line with industry standards. There were in sufficient comparable sales available to statistically support sales price adjustments in this analysis. Normally, hundreds of relatively similar transactions are required to develop mathematical regression models with sufficient statistical significance to support these adjustments. In addition, all the factors contributing to these adjustments must be quantifiable. Therefore, the sales price adjustments made in the appraisal are necessarily subjective and intended to qualify the appraiser's judgement, analysis, and experience for the reader and are not supported by statistical evidence. *** See Page 3 for Additional Comments ***</u>				
Indicated Value by Sales Comparison Approach \$168,500				
Indicated Value by: Sales Comparison Approach \$168,500 Cost Approach (if developed) \$168,444 Income Approach (if developed) \$Nil/Dev/Ind				
*** See Additional Comments ***				
This appraisal is made <input checked="" type="checkbox"/> "as is," <input type="checkbox"/> subject to completion per plans and specifications on the basis of a hypothetical condition that the improvements have been completed, <input type="checkbox"/> subject to the following repairs or alterations on the basis of a hypothetical condition that the repairs or alterations have been completed, or <input type="checkbox"/> subject to the following required inspection based on the extraordinary assumption that the condition or deficiency does not require alteration or repair. <u>This appraisal was prepared with the subject in "as is" condition, under the Extraordinary Assumption that no adverse conditions are present.</u>				
Based on a complete visual inspection of the interior and exterior areas of the subject property, defined scope of work, statement of assumptions and limiting conditions, and appraiser's certification, my (our) opinion of the market value, as defined, of the real property that is the subject of this report is				
N \$168,500 as of 10/19/2010 which is the effective date of this appraisal.				

RMPP Form 1004 May 2007

Page 2 of 6

Laxson Appraisal Service

## Uniform Residential Appraisal Report

File # 8338

**MARKET DATA COMMENTS:** The appraiser conducted an extensive search for properties with similar GLA, vintage, design/appeal and site size in the Goldendale Area. A search over the last 18 months produced 7 sales with dwellings on acreage parcels. Four of those sales were superior dwellings with the land use being different. Only 3 dwellings were considered indicators of value for the subject property. Due to the overall low volume of sales throughout the general market area, sales with closing dates over six months were considered and selected for presentation as C-2 and C-3. While dated, their closing dates are within the last 12 month period of time. A lack of similar comparable resales should not be construed as a lack of interest in the market area, but rather a function of the overall small population in the area as well as the sluggish national and regional economy. Diverse properties that have been personalized over time is also typical of the area. Consequently, sales selected for presentation are diverse with varying GLA, site size, design/appeal. The use of paired sales analysis becomes difficult and in some instances simply not possible. The adjustments made to the sales represent the appraiser's attempt to isolate and compensate for significantly dissimilar features. This has created a scenario in which C-1 has an excess line adjustment and consequently an excess gross adjustment. This is due primarily to the adjustment for the condition of C-1 and to a lesser degree the time adjustment. C-2 has an excess gross adjustment due to its age adjustment and its time adjustment, as well. C-3 has an excess line adjustment and gross adjustment due to the time adjustment. Excess percentage adjustments, again, is a function of the diversity of data. However, with the dearth of available sales for review and presentation, the sales presented are nevertheless indicators of value.

C-1 is located in the closest proximity to the subject being just under 5 miles. While on a smaller parcel of land its estimated site value is considered similar in that of the subject with no adjustment warranted for the difference in size. The interior of C-1 has been completely updated yielding its condition superior to that of the subject. It has only one outbuilding of smaller size when compared the subject's outbuildings.

C-2 is a formerly working farm but has been vacant for a number of years and has fallen into disrepair. A view of its interior shows a dwelling that has been updated in the past to a level commensurate with approximately 1955. There are numerous outbuildings in various levels of disrepair but generally of good quality construction. C-2's utility and use of the land is more similar to that of the subject than the other sales presented.

C-3 is a two story cabin type dwelling on 20 acres. It has been a rental in the past and most recently vacant falling into disrepair, as well. Its topography is rolling and heavily pine treed with some territorial views.

**ADJUSTMENTS:**

Site adjustments normally take into account location and view as well as site size. Site size is factored less in the contribution to resale than location and view. The sales presented have site values with similar estimated market value in which no adjustment for size is warranted.

Age differences were adjusted by \$500/yr.

The Gross Living Area differences were adjusted at \$25/sf. Basement area at \$5/sf.

Adjustments for differences in the number of bedrooms were included in the GLA adjustment.

Ducted Heating systems were adjusted at their estimated contribution to resale.

Garages were adjusted at \$1,500 per car.

Fireplaces/Woodstoves were adjusted at \$1,000 each.

Amenities such as Outbuildings and Bathroom counts were adjusted to reflect the individual amenity's contribution to resale.

Due to a lack of market data closed sales were adjusted for time based on the RMLS Market Area Report, dated 9/2010, for Klickitat County, the report indicates 8% closed sales with a market decline of 10.9% per annum. A copy of the report is retained in the appraiser's work file.

The adjusted sales provide a range of values from \$167,104 to \$128,360 with the opinion of value falling within the indicated value range. C-2 has been heavily weighted due to its similar function, utility and marketability. This is supported by the depreciated cost approach.

**COST APPROACH TO VALUE**

Support for the opinion of site value (summary of comparable land sales or other methods for estimating site value)

\*\*\* See Attached Land Sales \*\*\*

ESTIMATED	REPRODUCTION OR	X REPLACEMENT COST NEW	OPINION OF SITE VALUE	
Source of cost data	Marshall & Swift Cost Hand Book/Blids.		Dwelling	1,368 Sq. Ft. @ \$ 84.39 = \$ 115,446
Quality rating from cost service	Avg.	Effective date of cost data 09/2010	BSMT	1,368 Sq. Ft. @ \$ 21.30 = \$ 29,138
Comments on Cost Approach (gross living area calculations, depreciation, etc.)			2 Heat Stvs, Enclsd Deck, Appliances, Porch	27,247
Site Improvts. include water & sewage systems, Dwy & Indscng. The use of the Cost Approach is not intended for insurance purposes, if so used, its use is w/o warranty by the appraiser. Physical deprec.			Garage/Carport	576 Sq. Ft. @ \$ 22.02 = \$ 12,684
calculated by Age/Life Method, Econ Life based on 60 yrs.			Total Estimate of Cost-New	184,515
			Less Physical Functional External	
			Depreciation 123,071	=( \$ 123,071 )
			Depreciated Cost of Improvements	61,444
			'As-Is' Value of Site Improvements	9,509
			Outbuilding, Haycover	39,000
Estimated Remaining Economic Life (HUD and VA only)	20	Years	Indicated Value By Cost Approach	\$ 168,244

**INCOME APPROACH TO VALUE**

Estimated Monthly Market Rent \$ N/A X Gross Rent Multiplier = \$ Not Devlpd Indicated Value by Income Approach

Summary of Income Approach (including support for market rent and GRM) The income approach was considered but not used due to similar properties not being purchased for their income generating stream.

**PROJECT INFORMATION FOR PUDs (if applicable)**

Is the developer/builder in control of the Homeowners' Association (HOA)? Yes No Unit type(s) Detached Attached

Provide the following information for PUDs ONLY if the developer/builder is in control of the HOA and the subject property is an attached dwelling unit.

Legal name of project This section does not apply to the subject property

Total number of phases Total number of units Total number of units sold

Total number of units rented Total number of units for sale Data Source(s)

Was the project created by the conversion of existing building(s) into a PUD? Yes No If Yes, date of conversion

Does the project contain any multi-dwelling units? Yes No Data Source(s)

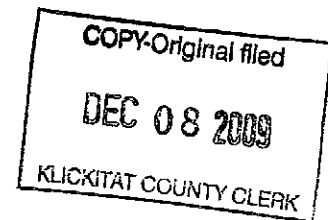
Are the units, common elements, and recreation facilities complete? Yes No If No, describe the status of completion. \*\*\* See Additional

**Comments \*\*\***

Are the common elements leased to or by the Homeowners' Association? Yes No If Yes, describe the rental terms and options.

Describe common elements and recreational facilities





**SUPERIOR COURT OF WASHINGTON  
COUNTY OF KLICKITAT**

In re the Marriage of:

THOMAS GAMBLE,

Petitioner,

and

DAWN GAMBLE,

Respondent.

No. 08 - 3 - 00029 - 9

- ☒ DECREE OF DISSOLUTION (DCD)  
☐ DECREE OF LEGAL SEPARATION (DCLGSP)  
☐ DECLARATION CONCERNING VALIDITY (DCINMG) (Marriage)  
☐ Clerk's action required  
☐ Law Enforcement Notification, ¶ 3.8

**I. Judgment/Order Summaries**

**1.1 Restraining Order Summary:**

☒ Does not apply. ☐ Restraining Order Summary is set forth below:

Name of person(s) restrained: \_\_\_\_\_ Name of person(s) protected: \_\_\_\_\_ See paragraph 3.8.

***Violation of a Restraining Order in Paragraph 3.8 Below With Actual Knowledge of its Terms is a Criminal Offense Under Chapter 26.50 RCW and Will Subject the Violator to Arrest. RCW 26.09.050.***

**1.2 Real Property Judgment Summary:**

☒ Does not apply. ☐ Real Property Judgment Summary is set forth below:

Assessor's property tax parcel or account number: \_\_\_\_\_

Or

Legal description of the property awarded (including lot, block, plat, or section, township, range, county and state): \_\_\_\_\_

See Page \_\_\_\_\_ for full legal description

**1.3 Money Judgment Summary:**

☐ Does not apply. ☒ Judgment Summary is set forth below.

A. Judgment creditor

DAWN GAMBLE

B. Judgment debtor

THOMAS GAMBLE

C. Principal judgment amount

\$ 36,014

D. Interest to date of judgment

\$ 0

E. Attorney fees

\$ 0

1 F. Costs \$ 0  
2 G. Other recovery amount \$ 0  
3 H. Principal judgment shall bear interest at 12 % per annum  
4 I. Attorney fees, costs and other recovery amounts shall bear interest at \_\_\_\_\_ % per annum  
5 J. Attorney for judgment creditor ANTHONY H. CONNORS  
6 K. Attorney for judgment debtor  
7 L. Other:

## 8 End of Summaries

### 9 II. Basis

10 Findings of Fact and Conclusions of Law have been entered in this case.

### 11 III. Decree

12 **It Is Decreed** that:

#### 13 3.1 Status of the Marriage

- 14 ☒ The marriage of the parties is dissolved.  
15 ☐ The husband and wife are legally separated.  
16 ☐ The marriage of the parties is invalid.  
17 ☐ The marriage of the parties is valid.

#### 18 3.2 Property to be Awarded the Husband

- 19 ☐ The husband is awarded as his separate property the property set forth in Exhibit \_\_\_\_\_.  
20 This exhibit is attached or filed and incorporated by reference as part of this decree.  
21 ☐ The husband is awarded as his separate property the property set forth in the separation  
22 contract or prenuptial agreement executed by the parties on (date) \_\_\_\_\_.  
23 The separation contract or prenuptial agreement is incorporated by reference as part of this  
24 Decree. The prenuptial agreement or, pursuant to RCW 26.09.070(5), the separation  
25 contract ☐ is ☐ is not filed with the court.  
26 ☒ The husband is awarded as his separate property the following property (list real estate,  
27 furniture, vehicles, pensions, insurance, bank accounts, etc.):

✓ Residence	✓ Real Property
3020 JD Tractor	2940 JD Tractor
Manure Spreader	1978 Ford pickup
1958 Dodge Truck	Powder River Squeeze
Gates and Panels	Tools
4430 JD Tractor	4330 JD Tractor
2003 Ford pickup	Harrow Bed
Swather	Hot Walker
Kawasaki	Trailer Proceeds
Flatbed Trailer	Chain Saws
2 Small pickups	✓ Real Property Improvements

28 ☐ Other:

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### 3.3 Property to be Awarded to the Wife

- ☐ The wife is awarded as her separate property the property set forth in Exhibit \_\_\_\_\_. This exhibit is attached or filed and incorporated by reference as part of this decree.
- ☐ The wife is awarded as her separate property the property set forth in the separation contract or prenuptial agreement referenced above.
- ☒ The wife is awarded as her separate property the following property (list real estate, furniture, vehicles, pensions, insurance, bank accounts, etc.):

1989 Ford pickup

2006 Ford Explorer

✓  
Equalizing Judgment in the amount of \$36,014.00

- ☐ Other:

### 3.4 Liabilities to be Paid by the Husband

- ☐ Does not apply.
- ☐ The husband shall pay the community or separate liabilities set forth in Exhibit \_\_\_\_\_. This exhibit is attached or filed and incorporated by reference as part of this decree.
- ☐ The husband shall pay the community or separate liabilities as set forth in the separation contract or prenuptial agreement referenced above.
- ☒ The husband shall pay the following community or separate liabilities:

<u>Creditor</u>	<u>Approximate Amount</u>
Ford Truck	\$10,000
Kawasaki	\$ 4,300
WaMu Credit Card	\$ 3,072
Capital One Credit Card	\$ 1,600
Equalizing Judgment to Wife in the amount of:	\$36,014

All outstanding debts incurred by Petitioner Husband before and after marriage

- ☐ Other:

Unless otherwise provided herein, the husband shall pay all liabilities incurred by him since the date of separation.

### 3.5 Liabilities to be Paid by the Wife

- ☐ Does not apply.
- ☐ The wife shall pay the community or separate liabilities set forth in Exhibit \_\_\_\_\_. This exhibit is attached or filed and incorporated by reference as part of this decree.
- ☐ The wife shall pay the community or separate liabilities as set forth in the separation contract or prenuptial agreement referenced above.

☒ The wife shall pay the following community or separate liabilities:

Creditor

Amount

All outstanding debts incurred by Respondent Wife before and after marriage

☐ Other:

Unless otherwise provided herein, the wife shall pay all liabilities incurred by her since the date of separation.

### 3.6 Hold Harmless Provision

☒ Each party shall hold the other party harmless from any collection action relating to separate or community liabilities set forth above, including reasonable attorney's fees and costs incurred in defending against any attempts to collect an obligation of the other party.

☐ Other:

### 3.7 Maintenance

☒ Does not apply.

☐ The ☐ husband ☐ wife shall pay maintenance as set forth in Exhibit \_\_\_\_\_. This exhibit is attached or filed and incorporated by reference as part of this decree.

☐ Maintenance shall be paid as set forth in the separation contract or prenuptial agreement referenced above.

☐ The ☐ husband ☐ wife shall pay \$ \_\_\_\_\_ maintenance. Maintenance shall be paid ☐ weekly ☐ semi-monthly ☐ monthly. The first maintenance payment shall be due on \_\_\_\_\_.

The obligation to pay future maintenance is terminated upon the death of either party or the remarriage of the party receiving maintenance unless otherwise specified below:

Payments shall be made:

☐ directly to the other spouse.

☐ to the Washington State Child Support Registry (only available if child support is ordered).

☐ to the clerk of this court as trustee for remittance to the other spouse (only available if there are no dependent children).

☐ If a maintenance payment is more than 15 days past due and the total of such past due payments is equal to or greater than \$100, or if the obligor requests a withdrawal of accumulated contributions from the Department of Retirement Systems, the obligee may seek a mandatory benefits assignment order under Chapter 41.50 RCW without prior notice to the obligor.

☐ The Department of Retirement Systems may make a direct payment of all or part of a withdrawal of accumulated contributions pursuant to RCW 41.50.550(3).

☐ Other:

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### 3.8 Continuing Restraining Order

☒ Does not apply.

☐ A continuing restraining order is entered as follows:

☐ The ☐ husband ☐ wife is restrained and enjoined from disturbing the peace of the other party.

☐ The ☐ husband ☐ wife is restrained and enjoined from going onto the grounds of or entering the home, work place or school of the other party, or the day care or school of the following named children: \_\_\_\_\_.

☐ The ☐ husband ☐ wife is restrained and enjoined from knowingly coming within or knowingly remaining within (distance) \_\_\_\_\_ of the home, work place or school of the other party, or the day care or school of these children: \_\_\_\_\_, other: \_\_\_\_\_.

☐ (Name) \_\_\_\_\_ is restrained and enjoined from molesting, assaulting, harassing, or stalking (name) \_\_\_\_\_.

(The following firearm restrictions apply if this box is checked: Effective immediately and continuing as long as this continuing restraining order is in effect, the restrained person may not possess a firearm or ammunition. 18 U.S.C. § 922(g)(8). A violation of this federal firearms law carries a maximum possible penalty of 10 years in prison and a \$250,000 fine. An exception exists for law enforcement officers and military personnel when carrying department/government-issue firearms. 18 U.S.C. § 925(a)(1).)

☐ Other: \_\_\_\_\_

**Violation of a Restraining Order in Paragraph 3.8 With Actual Knowledge of its Terms Is a Criminal Offense Under Chapter 26.50 RCW and Will Subject the Violator to Arrest. RCW 26.09.060.**

☐ **Clerk's Action.** The clerk of the court shall forward a copy of this order, on or before the next judicial day, to: \_\_\_\_\_ law enforcement agency which shall enter this order into any computer-based criminal intelligence system available in this state used by law enforcement agencies to list outstanding warrants. (A law enforcement information sheet must be completed by the party or the party's attorney and provided with this order before this order will be entered into the law enforcement computer system.)

#### Service

☐ The restrained party or attorney appeared in court or signed this order; service of this order is not required.

☐ The restrained party or attorney did not appear in court; service of this order is required. The protected party must arrange for service of this order on the restrained party. File the original Return of Service with the clerk and provide a copy to the law enforcement agency listed above.

#### Expiration

This restraining order expires on: (month/day/year) \_\_\_\_\_. This restraining order supersedes all previous temporary restraining orders in this cause.

☐ Any temporary restraining order signed by the court in this cause number is terminated.

**Clerk's Action.** The clerk of the court shall forward a copy of this order, on or before the next judicial day, to: \_\_\_\_\_ law enforcement agency where **Petitioner** resides which shall enter this order into any computer-based criminal intelligence

system available in this state used by law enforcement agencies to list outstanding warrants.

### Full Faith and Credit

Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States shall accord full faith and credit to the order.

### 3.9 Protection Order

- ☒ Does not apply.  
☐ The parties shall comply with the ☐ domestic violence ☐ antiharassment Order for Protection signed by the court on this date or dated \_\_\_\_\_, in this cause number. The Order for Protection signed by the court is approved and incorporated as part of this decree.

### 3.10 Jurisdiction Over the Children

- ☐ Does not apply because there are no dependent children.  
☒ The court has jurisdiction over the children as set forth in the Findings of Fact and Conclusions of Law.

### 3.11 Parenting Plan

- ☐ Does not apply.  
☒ The parties shall comply with the Parenting Plan signed by the court on this date or dated of even date with this document. The Parenting Plan signed by the court is approved and incorporated as part of this decree.

### 3.12 Child Support

- ☐ Does not apply.  
☒ Child support shall be paid in accordance with the Order of Child Support signed by the court on this date or dated of even date with this document. This order is incorporated as part of this decree.

### 3.13 Attorney Fees, Other Professional Fees and Costs

- ☒ Does not apply.  
☐ Attorney fees, other professional fees and costs shall be paid as set forth in the separation contract or prenuptial agreement referenced above.  
☐ Attorney fees, other professional fees and costs shall be paid as follows:

### 3.14 Name Changes

- ☐ Does not apply.  
☒ The wife's name shall be changed to (first, middle, last name) Dawn Renee Holland.  
☐ The husband's name shall be changed to (first, middle, last name) \_\_\_\_\_.

1 3.15 Other  
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8 Dated: 12/8/09  
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E. Thompson Reynolds

10 Judge/Commissioner

11 Petitioner or petitioner's lawyer:  
12 A signature below is actual notice of this order.  
13 [X] Presented by:  
14 [ ] Approved for entry:  
15 [ ] Notice for presentation waived:

Respondent or respondent's lawyer:  
A signature below is actual notice of this order.  
[ ] Presented by:  
[ ] Approved for entry:  
[ ] Notice for presentation waived:

16 Anthony H. Connors/WSBA No. 20785  
Attorney for Respondent

Date

Thomas Gamble, Petitioner

Date